

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

WALBRIDGE ALDINGER COMPANY,

Plaintiff,

v.

Case No. 06-CV-11161-DT

AON RISK SERVICES, INC. OF
PENNSYLVANIA,

Defendant.

**ORDER DENYING PLAINTIFF'S "MOTION TO STRIKE
DEFENDANT AON RISK SERVICES, INC. OF PENNSYLVANIA'S
FINAL WITNESS LIST AND FOR IMPOSITION OF SANCTIONS"**

Pending before the court is Plaintiff Walbridge Aldinger Company's ("Walbridge's") "Motion to Strike Defendant Aon Risk Services, Inc. of Pennsylvania's ["Aon's"] Final Witness List and for Imposition of Sanctions." In its motion, Walbridge alleges that "Aon's Final Witness List is not a good faith disclosure insomuch as it does not individually name persons to be called as witnesses by Aon, but instead categorizes these persons into groups." (Pl.'s Mot. at 2.) Walbridge contends that Aon' witness list "does not allow Walbridge an opportunity to properly prepare itself for trial," and requests that the court strike Aon's witness list, require Aon to file an amended witness list, and extend the discovery deadline to allow Walbridge to depose Aon's witnesses. (*Id.* at 3-4.)

A review of Aon's witness list reveals that a typical entry lists a few individuals from a given company, their addresses, as well as a clause that indicates Aon is not limiting its potential witnesses to this enumerated list. (See Def.'s Witness List, Def.'s Ex. A.) Aon also typically states that it may call as witnesses that company's

"[c]orporate representatives and/or other persons with knowledge of" a specified issue.

(*Id.*)

The court does not agree with Walbridge's assessment of Aon's witness list. Aon has specifically listed a number of individuals it plans to call as witnesses, and to the extent that Aon fails to so state, Aon details the issues it expects to discuss from each unnamed corporate representative. While certainly not ideal, the court finds that in this case Aon's witness list is sufficient to enable Walbridge to adequately prepare itself for trial. Moreover, the court notes that even Walbridge's witness list is not immune from this defect.¹ Accordingly,

IT IS ORDERED that Plaintiff's "Motion to Strike Defendant Aon Risk Services, Inc. of Pennsylvania's Final Witness List and for Imposition of Sanctions" [Dkt. #36] is DENIED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 17, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 17, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

¹In Walbridge's witness list, it lists as one potential witness "Corporate Representative of Aon Risk Services, Inc. of Pennsylvania." (Pl.'s Witness List at 3.)